



1/17/05

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Date: February 14, 2005

RANDALL J. HUEBNER
and STEVEN P. HORST

Serial No. : 10/717,401

Examiner David A. Bonderer

Filed : November 19, 2003

Group Art Unit 3732

For : GUIDE SYSTEM FOR
BONE-REPAIR DEVICES

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

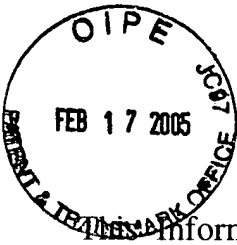
INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.56, 1.97, and 1.98

Applicants are submitting this Information Disclosure Statement pursuant to 37 C.F.R. §§ 1.56, 1.97, and 1.98 to disclose to the U.S. Patent and Trademark Office the patents, publications, applications, and/or other references listed on the enclosed, completed PTO-1449 form(s). The filing of this Information Disclosure Statement should not be construed as a representation that a search has been made or as an admission that the listed references are prior art for this application. Applicants respectfully request that the listed references be expressly considered during prosecution of the application, and that the references be made of record therein and appear among the "references cited" on any patents issuing therefrom.

02/18/2005 HMRZ11 00000020 10717401

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CONTENT OF DISCLOSURE

This Information Disclosure Statement includes (1) three pages of PTO-1449 forms, and (2) a legible copy of each foreign and non-patent reference, if any, listed on the form(s). However, because this application was filed on or after July 1, 2003, no copies of U.S. patents or published U.S. patent applications are included.

FOREIGN-LANGUAGE REFERENCES

A concise explanation of the relevance of each listed reference not in the English language follows:

French Patent No. 742618: This document appears to disclose a bone plate and targeting guide, as illustrated in the figures.

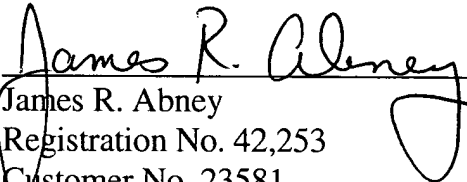
TIMING OF DISCLOSURE / FEE INFORMATION

This Information Disclosure Statement is being filed more than three months after the filing date of a national application or the date of entry of the national stage in an international application and after the mailing of a first Office action but, to the best of the undersigned's knowledge, before the mailing date of any of a final action under 37 C.F.R. § 1.113, a notice of allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution in the application. Therefore, in accordance with 37 C.F.R. § 1.97(c)(2), attached herewith is a check for \$180.00 for payment of the fee set forth in 37 C.F.R. § 1.17(p). The Commissioner is hereby authorized to charge any additional fees that may be required, or to credit any overpayment, to Account No. 11-1540.

Please contact the undersigned with any questions or comments regarding this Information Disclosure Statement.

Respectfully submitted,

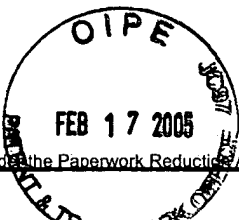
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on February 14, 2005.


Lisa Holstein



PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

7+

Application Number

10/717,401

Filing Date

November 19, 2003

First Named Inventor

Randall J. Huebner

Art Unit

3732

Examiner Name

David A. Bonderer

Attorney Docket Number

ACM 354

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	1. Form PTO-1449 (three pages)
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	2. One Foreign Reference
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	3. Seven Other Documents
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application		
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Kolisch Hartwell, P.C.		
Signature			
Printed name	James R. Abney, Esq.		
Date	February 14, 2005	Reg. No.	42,253

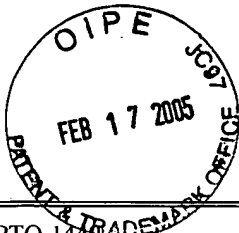
CERTIFICATE OF TRANSMISSION/MAILING

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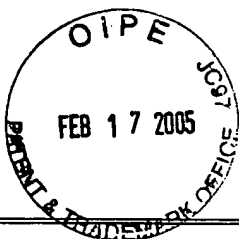
Signature			
Typed or printed name	Lisa Holstein	Date	February 14, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

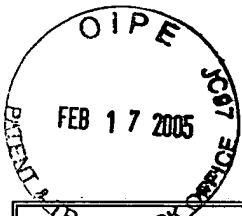
If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

SHEET 1 OF 3

FORM PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION			DOCKET NUMBER ACM 354		APPLICATION NUMBER 10/717,401	
			APPLICANTS Randall J. Huebner and Steven P. Horst			
			FILING DATE November 19, 2003		GROUP ART UNIT 3732	
U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FIL. DATE IF APPROP.
	2,243,717	5/27/41	Moreira			
	2,489,870	11/29/49	Dzus			
	2,500,370	3/14/50	McKibbin			
	3,025,853	3/20/62	Mason			
	3,489,143	1/13/70	Halloran			
	3,593,709	7/20/71	Halloran			
	4,465,065	8/14/84	Gotfried			
	4,493,317	1/15/85	Klaue			
	4,498,468	2/12/85	Hansson			
	4,565,191	1/21/86	Slocum			
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO
	742618	3/13/33	France			XX
OTHER DOCUMENTS						
	<i>LISS: Less Invasive Stabilization System</i> , Krettek et al., <i>Dialogue</i> , p. 3 (with electronic supplement), January 1999.					
	<i>Less Invasive Stabilization System LISS</i> , surgical technique, Synthes/Mathys, February 23, 1999.					
	<i>Congruent Plate System</i> , surgical technique, Acumed LLC, December 18, 2000.					
EXAMINER			DATE CONSIDERED			

SHEET 2 OF 3

FORM PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION			DOCKET NUMBER ACM 354		APPLICATION NUMBER 10/717,401	
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U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FIL. DATE IF APPROP.
	4,565,192	1/21/86	Shapiro			
	4,895,141	1/23/90	Koeneman et al.			
	4,917,604	4/17/90	Small			
	5,042,983	8/27/91	Rayhack			
	5,085,660	2/4/92	Lin			
	5,154,717	10/13/92	Matsen, III et al.			
	5,176,685	1/5/93	Rayhack			
	5,236,432	8/17/93	Matsen, III et al.			
	5,429,641	7/4/95	Gotfried			
	5,458,654	10/17/95	Tepic			
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO
OTHER DOCUMENTS						
	<i>Congruent Distal Radius Plate System</i> , brochure, Acumed LLC, May 1, 2002.					
	<i>Internal Fixation in Osteoporotic Bone</i> , An, p. 276, July 2002.					
	<i>AcroPlate</i> , aap Implantate AG, p. 37, date unknown.					
	<i>The Titanium Volar Distal Radius Plate</i> , Synthes, date unknown.					
EXAMINER			DATE CONSIDERED			

SHEET 3 OF 3

FORM PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION		DOCKET NUMBER ACM 354		APPLICATION NUMBER 10/717,401		
		APPLICANTS Randall J. Huebner and Steven P. Horst				
		FILING DATE November 19, 2003		GROUP ART UNIT 3732		
U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FIL. DATE IF APPROP.
	5,601,565	2/11/97	Huebner			
	5,722,976	3/3/98	Brown			
	6,096,043	8/1/00	Techiera et al.			
	6,302,887	10/16/01	Spranza et al.			
	6,379,364	4/30/02	Brace et al.			
	6,440,135	8/27/02	Orbay et al.			
	2003/0083661	5/1/03	Orbay et al.			
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO
OTHER DOCUMENTS						
EXAMINER			DATE CONSIDERED			